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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	<b>BOARD OF DENTISTRY &amp; DENTAL HYGIENE</b>
DATE AND TIME:	<b>Thursday, March 21, 2013 at 3:00 p.m.</b>
PLACE:	<b>Cannon Building, Second-Floor Conference Room A 861 Silver Lake Boulevard, Dover, DE 19904</b>
APPROVED:	May 16, 2013

**MEMBERS PRESENT**

Blair Jones, DMD, Professional Member, President  
Neil McAneny, DDS, Professional Member  
Robert Director, DDS, Professional Member  
Lucinda Bunting, DMD, Professional Member  
Buffy Parker, RDH, Hygiene Advisory Member  
Joan Madden, RDH, Professional Hygiene Member  
Nathaniel Gibbs, Public Member  
Cheryl Calicott-Trawick, Public Member

**MEMBERS ABSENT**

John Lenz, DDS, Professional Member, Secretary  
Debra Bruhl, RDH, Hygiene Advisory Member  
Bonnie Thomas, RDH, Hygiene Advisory Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Pamela C. Zickafoose, Executive Director, Team A  
Amanda McAtee, Administrative Specialist II  
Patricia Davis-Oliva, Deputy Attorney General  
Kay Warren, Deputy Director

**PUBLIC PRESENT**

Katherine Townsend  
Susan Pugliese, DDS  
Norman S. Steward, Jr.  
John M. Russo, DDS  
Howard Zucker  
Tom Stevens, MD  
Thomas Lanzilotti, DMD  
Connie Cicorelli, DDS  
Tuhina Roy, DDS

Prior to the meeting, Dr. Jones, Dr. Director, Dr. McAneny, and Dr. Bunting conducted an informal review for candidate D6.

**CALL TO ORDER**

Dr. Jones called the meeting to order at 3:06 p.m.

## **REVIEW AND APPROVAL OF MINUTES**

The Board reviewed minutes from January 17, 2013. Ms. Calicott-Trawick made one correction on page 2. Dr. Director made a motion to accept the minutes as corrected, seconded by Dr. Bunting. By unanimous vote, the motion carried.

Dr. Jones reordered the agenda to allow Dr. Zucker and other members of the public to speak.

## **DR. HOWARD ZUCKER – CE CREDITS from CCHS DENTAL RESIDENCY PROGRAM**

Dr. Zucker thanked the Board for the opportunity to speak. He stated there was an error in the minutes and the issue is “not whether attending are faculty, it is whether residency is considered.” He also stated the Board should not compromise quality and the CCHS residency is the “crown jewel” of their program. He asked if they are willing punish all for just a few and stated they were “throwing the baby out with the bath water.” There are younger, dynamic people taking time out of their offices who are financially in debt who are willing to spend time at the hospital and by allowing this to count as CE this is one way to acknowledge their contributions to education. Teaching takes a lot of time and effort and in the past two years, 6 new young residents joined their faculty. The Board should not make an egregious mistake to not allow this and the Board should not change the rules as they embellish their program and enhance what we are doing. He also said this is “hypocritical mockery” in that the Board is not willing to give recognition to those who spend one month at the hospital teaching residents and DIDER provides \$158,000 for this program with two people funded this year.

Dr. Norman Steward spoke next stating the residents must work under a licensed dentist and the most vulnerable populations will be affected by changing 6.6.1. Teaching is an effective way to learn. You retain more information and you are always learning something new and reinforcing knowledge previously learned. Section 6.5.1.8 provides the authority to grant CE credit and 6.6.7 states it can be any activity deemed appropriate by the Board. He requested the Board to compromise especially since they granted CE credit to Give Kids a Smile. All volunteer efforts should be treated equally and he thinks credit for volunteer programs are “just.” In conclusion he stated removing CE is not in the best interest of the public health, safety, and welfare.

Dr. Nick Russo introduced himself as a dentist for 49 years and hospital staff since 1965. He was made the Section Chief for General Dentistry at CCHS four years ago and he is the past-president of the Academy of General Dentistry (AGD). He stated AGD has guided CE over the past years and last year their list was not accepted by this Board. Instead they needed to provide actual CE certificates. He does not believe they should take away the 10 hours of CE and they all know how long it takes to get CE under our belts. He hates to see negativity come out of this.

Dr. Connie Cicorelli introduced herself as a general dentist in Wilmington and a former Board member. She stated she was disturbed for the Board to rescind 6.6.1. and that a “teacher learns as much as his student.” She said that learning by teaching takes place all the time and rescinding 6.6.1 is “just plain wrong.” See attached document at end of minutes.

Dr. McAneny asked them to clarify what the duties of the attending are, what the attending is expected to do, and if there was any supervision. Dr. Russo explained they do treatment planning and sign off on the resident’s treatment plans. They also do study modules, discuss cases, provide support and answer many questions. They have busy days with emergencies added to their normal days. Dr. Zucker added it is an “active program, a robust didactic program with seminars.” Dr. Russo stated they also have a tremendous implant program with approximately 200 cases this year which is unheard of in any of those areas of education. Dr. Steward added that residents do journal reviews and present completely new material with interactive questions which he considers formal education and new learning. Dr. Pugliese commented that any new equipment must be taught and learned and they must

be certified to teach the residents. They do receive CE credit from CCHS for attending some of these sessions but the journal reviews do not receive CE. Dr. McAneny stated that they don't get credit for the journal club and the Board does allow credits for this activity.

Public members finished speaking at 3:39 P.M. and left the room. Dr. Bunting questioned how all this got started and Dr. Jones replied that someone got audited and tried to claim 20-30 CEs with a letter from the Director saying it was appropriate.

#### **WESTSIDE FAMILY HEALTHCARE PRESENTATION ON TRANSITIONAL LICENSE PROPOSAL**

Dr. Tom Stevens introduced himself and stated that Westside Family Health Center is the largest federally qualified healthcare center (FQHC) in Delaware and the Dover site opened two years ago. They provide dental services in Wilmington on 4<sup>th</sup> Street and they received a \$1 million grant to expand services at the Dover site. There are barriers to recruitment in the current licensure process so he was considering different options. Many find getting licensed in DE is not worth it with the licensure process and it is difficult to recruit out of state candidates. He met with the Dental Society and DIDER Board and has their approval for this proposal. His goal is to improve recruitment without affecting quality. That is why he got into community health to decrease healthcare disparities. In this proposal he does not want to replicate a two-tiered system. This proposal give candidates the opportunity to work in a FQHC environment with appropriate supervision.

Dr. Director thanked him for the flowsheet that was easy to understand and asked what would be the level of supervision with these people in the clinic prior to passing the DE licensure exam. Dr. Stevens replied they work closely with the resident program at CCHS and if they complete the DE exam, we would "turn them loose." We would not be treating them as residents. We would do peer chart audits and see that they practice within their scope. Dr. Director commented he would like more concrete ideas and a mechanism for supervision for those who have not passed the exam, meaning direct supervision. Dr. Director also stated he saw they have sponsors for the proposed legislation. Dr. Stevens state he works with mid-level practitioners who require supervision as well and recommended the dental licensure candidates would work without someone on site but who are available if needed. He would like that flexibility and if they open the Dover site they would not want the requirement to have someone on site with the temporary licensee at all times-just available for consultation. Dr. Stevens was then asked "What if someone gets their license and then break the 3 year contract?"

Dr. McAneny asked if this was under the public health service and Dr. Stevens replied "No. It is a FQHC that is not associated with the state public health service." Ms. Calicott-Trawick asking if they would have to pass the regional board and Dr. Stevens replied "No." He added that the Dental Society is looking at the jurisprudence exam and questioned if it could be given more often. Ms. Calicott-Trawick asked where he would recruit these professionals from and what is constituted as working full-time. Dr. Stevens replied there was not a large pool of candidates and they work a 40 hour week but it is actually much more than that.

Dr. Jones clarified they have to apply to and take the exam in their first year and then pass in their 2<sup>nd</sup> year. His concern was they have already established patient relationships and if a candidate does not pass then the public will blame the Board and think they are horrible. Pass rates were discussed. Dr. Jones concluded it was not his facility but the outcry of the public that concerned him. Ms. Calicott-Trawick voiced her concern that they have not taken any board at all and Dr. Bunting stated that would take away the incentive of the program. Dr. Director stated his concern is about the level of supervision since they have not passed the exam. Dr. Stevens stated he didn't want this proposal to give the impression that they were weakening the quality of dentists in DE. Board members thanked him and the presentation concluded at 4:10 P.M.

Dr. Jones stated they would skip the Executive Session at this time and place it at the end of the meeting.

### **UNFINISHED BUSINESS**

**STATUS OF DENTAL LEGISLATION-** The Rules and Regulations hearing will be in May.

### **DENTAL ANESTHESIA ADVISORY CONSULTANT COMPENSATION**

Members discussed the dentists who perform inspections and the time it takes to complete inspections. Dr. Jones stated a new inspection for an unrestricted license takes about 3-4 hours, usually between 8 A.M. - 12 P.M. and then the paperwork must be completed. A new Restricted I application takes about 1.5 – 2 hours and a re-inspection (every 5 years) for renewals takes about 5.5 hours. He read the number of licenses which were: Restricted I-24, Restricted II- 138, and Unrestricted-33. Dr. Director stated this takes a lot of time and recommended an honorarium or stipend of \$1000 on an annual basis. They discussed whether it should be once a year or based on the number of hours and determined it would be better to compensate annually. Dr. Director made a motion for DPR to compensate the Chief of the Anesthesia Advisory Committee a retainer or honorarium fee of \$1000, seconded by Dr. McAneny. By unanimous vote, the motion carried. Members then asked Ms. Warren her thoughts on this number and she replied the Division would consider the fee and let them know the decision.

The Board took a recess for candidate D5's informal review at 4:20 P.M. Ms. Calicott-Trawick and Ms. Davis-Oliva left the meeting.

The meeting resumed at 4:35 P.M.

### **DENTISTRY AND DENTAL HYGIENE AUDIT**

Rober M. Blitzer-

Dr. Zickafoose reported a Rule to Show Cause hearing is scheduled April 24<sup>th</sup> at 9 A.M. and the rest of the audit is completed.

### **NEW BUSINESS**

#### **RATIFICATION OF LICENSES/PERMITS ISSUED BY DPR SINCE LAST BOARD MEETING**

Dentists- David Dieu

Dr. McAneny made a motion to ratify and approve licensure, seconded by Dr. Director. By unanimous vote, the motion carried.

Dental Hygienists

Cynthia Codichini

Georgia Ekonomou

Amber Block

Rebecca Durand

Dr. McAneny made a motion to ratify the list and approve licensure for the hygienists, seconded by Dr. Director. By unanimous vote, the motion carried.

Restricted Permit I – none

Restricted Permit II- Rinku Parmar

Dr. Director made a motion to approve licensure, seconded by Dr. McAneny. By unanimous vote the motion carried.

Unrestricted Permit- none

REVIEW OF NEW APPLICATIONS FOR LICENSURE- None

REVIEW HEARING OFFICER RECOMMENDATIONS- None

DSDS REQUEST FOR CHILD ABUSE/NEGLECT MANDATORY CE

Dr. Jones stated he wanted to table this topic until the May meeting so he could speak with Ms. Sharon Welsh to see if she would like to make a presentation.

**COMPLAINT UPDATES**

Dr. Director made a motion, seconded by Dr. Bunting, to approve and ratify the following complaint assignments given to the respective Board contact person. The motion was carried by unanimous vote.

09-23-12	Ms. Madden
09-24-12	Dr. Lenz
09-01-13	Dr. Director
09-02-13	Dr. Bunting
09-03-13	Dr. Lenz
09-04-13	Dr. McAneny
09-05-13	Dr. Jones
09-06-13	Dr. Jones

**CLOSED COMPLAINTS**

Dr. Zickafoose noted this was for information only to get into the record and did not need a vote.

Dismissed by the Division of Professional Regulation

09-11-12  
09-24-12  
09-04-12

Dismissed by the Attorney General's Office

09-06-10  
09-15-11

**DISCIPLINE AND COMPLIANCE**

Dr. Bruce Fay- Members reviewed correspondence received in March including CE certificates totaling 15 hours. Dr. Zickafoose informed the Board that Dr. Fay had paid his fine and his one year probation period would end on March 22, 2013. Since he has been in compliance the Board requested Dr. Zickafoose to contact him to submit a written request to lift probation for the May meeting. Dr. Director made a motion to approve the CE submitted, seconded by Dr. McAneny. By unanimous vote the motion carried.

Dr. Twana Medlin- Dr. Zickafoose informed the Board she has not submitted CE documentation or fines as required in her Board Order so her license was placed on suspension.

Christina Harrison- Dr. Zickafoose informed the Board she has not submitted CE documentation as required in her Board Order so her license was placed on suspension.

**CORRESPONDENCE**

Funding Request for Calibration Consultant

Dr. McAneny stated he received notification that Dr. Alperstein from Temple is retiring the end of December but would inquire if Temple would be willing to recommend someone else to perform the calibration exercise.

Dental Hygienists Letters

Three letters were received in the Division in support of the DE Dental Hygienist exam. Ms. Madden questioned where the letter originated from and stated her concern is that the letter is circulating with several incorrect statements pertaining to the costs of the DE and NERB exams. Members discussed the costs of NERB and that it is accepted by 33 states so it is actually less than \$100 per exam. Ms. Madden informed members she heard the letter was given to them by their employer and they were asked to sign it.

2013 National Dental Examiners' Advisory Forum (NDEAF)

Ms. Madden expressed interest in attending but stated the deadlines were too close. Dr. Jones stated he attended in the past.

**EXECUTIVE SESSION**

Acceptance of Digital Radiography for the Dental/Dental Hygienist Exams

Exam Recording Sheet

Dr. Director made a motion to go into Executive Session at 5 P.M, seconded by Dr. McAneny. One person in the audience left and the doors were closed.

The Board ended Executive Session at 5:25 P.M. with Dr. Jones making a motion to go out of Executive Session, seconded by Ms. Madden.

Dr. Jones made a motion, seconded by Dr. Bunting to accept digital radiographs on photo quality paper for the perio portion of the Dental and Dental Hygienists exams. By unanimous vote, the motion carried.

**OTHER BUSINESS BEFORE THE BOARD**

Dr. Director stated that is term on the Board, as well as Dr. McAneny's term, ends this month so this might be their last meeting. Dr. Jones and others thanked them for their service in case they were replaced before the next meeting in May. Discussion ensued about the exams when Ms. Madden commented there might be two new people for the June exams. Both Dr. Director and Dr. McAneny stated they would be willing to stay on the Board until after the June exams, however it is up to the Governor who reappoints Board members.

**PUBLIC COMMENT-** None

**NEXT MEETING**

The next meeting will be May 16, 2013 at 3:00 p.m. in Conference Room A located on the second floor of the Cannon building at 861 Silver Lake Boulevard, Dover, DE.

**ADJOURNMENT**

There being no further business to discuss, Dr. Jones made a motion, seconded by Mr. Gibbs to adjourn the meeting at 5:33 p.m. The motion to adjourn carried unanimously.

Respectfully Submitted,



Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE  
Executive Director, Team A, Division of Professional Regulation

Comments from Connie Cicorelli

“To teach is to learn twice.”—Joseph Joubert, *Pensees*, 1842 (French moralist and essayist)

“Who dares to teach must never cease to learn.”—John Cotton Dana (American librarian)

I am deeply disturbed by the Board’s intention to rescind Regulation #6.6.1. My personal belief, as well as that of many, many others is that a teacher learns as much as his student. I keep abreast of current thinking, knowledge, trends, and more when I interact with the residents at Christiana Care’s Department of Oral and Maxillofacial Surgery and Hospital Dentistry. I also believe that I, as well as my colleagues who teach in dental schools across this nation, refine good listening skills, are exposed to “out-of-the-box” thinking; see and hear about refreshing, novel approaches to procedures. As teachers, we are often challenged “why” when we make suggestions, which then prompts us, the teacher, to reassess and even research, indeed why do we make such a suggestion?

As a former Board Examiner myself (1994 to 1999), I am well aware of the challenges of serving the Board. I, too, participated as a Board Examiner in auditing our colleagues and became dismayed at what some of them tried to pass off as CE. Do not unfairly lump teacher’s contributions to dentistry into this category of CE. Education gained by teaching should not be ignored, passed over or omitted. Indeed, it should be lauded and shown appreciation and respect for what teaching contributes to our profession.

I have had the blessing of children for whom I am constantly teaching. Just last month, I was “teaching” my oldest son, age 12, about biology: mitosis, genetics, alleles, traits, Mendel’s squares. Teaching? No, I was really re-learning all about these topics. I had to read his textbook & do my own research to re-enlighten myself. How many of you Board members have ever learned something new yourself while teaching another?

My husband, and English teacher at nearby Garnet Valley High School for the past 29 years, states that when he often has a student teach a concept to someone else because it helps the “teacher” gain a deeper understanding. This method of learning by teaching is a well know method pervasive throughout education circles. Rescinding Regulation 6.6.1 is a discredit to all teachers, formal and informal, that their profession is unworthy of credit.

No, this is not a formal way of gaining CE. Nor is volunteering at our wonderful GKAS or Special Smiles events, yet CE is granted for participating in these events. I have participated in both of these events, as well as being an attending staff dentist @ Christiana Care for many years and I have gained tremendous knowledge through my participation in all 3 of these activities. I have also gained personal satisfaction from “giving back” to the community, but what I’ve learned far outweighs that.

Rescinding Regulation 6.6.1 is just plain wrong.

I respectfully and strongly urge to keep DE Regulation 6.6.1 in place and in fact, add the attending staff members at Delaware hospitals be granted these same continuing education credits.